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September 12, 2024

Hon. Jesse M. Furman  
United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312

Re: *Eddystone Rail Company, LLC v. Jamex Transfer Services, LLC*,  
Case No. 1:17-cv-01266-WHP

Dear Judge Furman:

Counsel for Plaintiff Eddystone Rail Company, LLC (“Eddystone”) and Defendant Jamex Transfer Services, LLC (together with its predecessor Bridger Transfer Services, LLC, “Jamex”) respectfully submit this joint letter in response to the Court’s September 6, 2024 Order. Dkt.104. As explained more fully below, Eddystone and Jamex respectfully submit that the Court should continue the current stay of this litigation pending resolution of appeals taken from the June 7, 2024 Memorandum Order (the “June 7 Order”) issued by Hon. Judge Joshua Wolson in *Eddystone Rail Co., LLC v. Bridger Logistics, LLC et al.*, Case No. 2:17-cv-00495-RK (E.D. Pa. 2017) (the “EDPA Action”). Continuing the stay would conserve the Court’s judicial resources and potentially avoid unnecessary litigation.

This Court stayed the present litigation through an order dated January 11, 2019 pending resolution of the EDPA Action. Dkt. 71. As Eddystone and Jamex noted in their August 30, 2024 status report, trial of the EDPA Action resulted in the June 7 Order, in which Judge Wolson held Bridger Logistics, LLC and Ferrellgas Partners, L.P. liable for fraudulent transfers and awarded Eddystone \$169,327,840 in damages. Dkt. 103. On July 3, Bridger Logistics, LLC and Ferrellgas Partners, L.P. appealed from the June 7 Order. Eddystone cross-appealed on July 15. *Id.* Accordingly, liability in the EDPA Action has not yet been fully and finally adjudicated.

Eddystone and Jamex submit that the Court’s stay should continue in force pending resolution of the appeals in the EDPA Action. That action and this action involve the same underlying breach of contract claim against Jamex. If the appellate court affirms the June 7 Order, Eddystone expects to collect the full amount of the judgment against Ferrellgas Partners, L.P. (which is bonded for the entirety of the judgment), rendering pursuit of amounts from Jamex pursuant to the arbitration award unnecessary. On the other hand, if the appellate court reverses the June 7 Order, this Court could decide to lift the stay and confirm the arbitral award so that Eddystone could enforce it against Jamex to the extent that Jamex has assets to satisfy the judgment.

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Counsel for Eddystone and Jamex will be prepared to discuss these issues further at the September 19, 2024 hearing if necessary.

Respectfully submitted,

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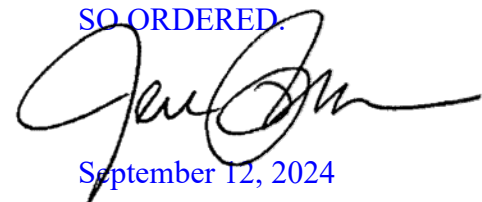
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Application GRANTED. The stay of this action will remain in force pending resolution of the appeals in the Pennsylvania Action. The conference scheduled for September 19, 2024, at 4:30 p.m. is hereby ADJOURNED. Parties should continue to file a joint letter every three months providing the Court with updates as to the status of the Pennsylvania Action. See ECF No. 75. The Clerk of Court is directed to terminate ECF No. 105.

SO ORDERED.



September 12, 2024